

## **IN THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

### **Listing of Claims:**

1(Currently Amended). In a frequency band, a method of intelligent frequency hopping, comprising:  
generating a good window and a bad window;  
determining a desired frequency type based on a frequency sequence;  
using an original hopping sequence to sample an original frequency in the frequency band; and  
selecting the original frequency as an operating frequency when the original frequency is ~~[[a]]~~ the desired frequency type.

2(Currently Amended). The method of claim 1 further comprising: using a frequency from ~~[[a]]~~ the good window when the original frequency is not ~~[[a]]~~ the desired frequency type, and the desired frequency type is a good frequency.

3(Currently Amended). The method of claim 1 further comprising using a frequency from ~~[[a]]~~ the bad window when the original frequency is not ~~[[a]]~~ the desired frequency type. and the desired frequency type is a bad frequency.

4(Currently Amended). The method of claim 1 wherein generating comprises:  
determining ~~a~~ a the number of good channels and ~~a~~ a the number of bad channels in ~~[[a]]~~ the frequency band;  
defining ~~a~~ a the ratio of good channels to bad channels as a ratio, Q (the ratio); and  
defining a good window size as ~~[[a]]~~ the number of good channels, defining a bad window size as ~~[[a]]~~ the number of bad channels, such that ~~a~~ a the ratio of the good window size to the bad window size is Q.

5(Original). The method of claim 1 wherein the frequency sequence is defined as a number of channels of a first type, followed by a number of channels of a second type, such that the ratio of the number of channels of the first type to the number of channels of the second type is  $Q$ .

6(Original). The method of claim 1 wherein the frequency sequence is defined as a number of channels of a first type, followed by a number of channels of a second type, such that the ratio of the number of channels of the first type to the number of channels of the second type is  $1/Q$ .

7(Currently Amended). The method of claim 5 wherein the first type is a good channel[[s]] and the second type is a bad channel.

8(Currently Amended). The method of claim 6 wherein the first type is a bad channel[[s]] and the second type is a good channel.

9(Currently Amended). The method of claim 1 further comprising:  
sampling a plurality of channels in the frequency band;  
identifying each channel in the plurality of channels as a good channel or a bad channel as a function of a predetermined factor; and  
assigning the good channels to [[a]] the good window and the bad channels to [[a]] the bad window.

10(Original). The method of claim 1 wherein sampling the plurality of channels samples all channels available to a network.

11(Currently Amended). The method of claim [[+]] 4 wherein the good channel is defined as a channel having at least a predetermined Quality Level of Service.

12(Currently Amended). The method of claim [[+]] 4 wherein the bad channel is defined as a channel having less than a predetermined Quality Level of Service.

13(Currently Amended). The method of claim 1 wherein each of the good and bad windows has an even number of slots to which the channels may be assigned.

14(Currently Amended). The method of claim 1 further comprising ~~the~~ an act of assigning a first size to ~~[[a]]~~ the good window, and a second size to ~~[[a]]~~ the bad window, such that the ratio of the size of the good window to the size of the bad window is approximately the same as the ratio of a number of the good channels in the band to a number of the bad channels in the frequency band (the ratio) over time.

15(Currently Amended). The method of claim 4 further comprising detecting a good channel, and ignoring the good channel when ~~[[a]]~~ the bad window is being generated.

16(Original). The method of claim 2 wherein using uses all of the channels in the good window are used before any channels in the bad window are used.

17(Currently Amended). In a frequency band, a method of intelligent frequency hopping, comprising:

identifying each channel in the frequency band as a good channel or a bad channel;

determining a ratio of a number of the good channels to a number of the bad channels (the ratio);

assigning a first size to a good window, and a second size to a bad window, such that the ratio of the size of the good window to the size of the bad window is the same as the ratio;

assigning the good channels to the good window and the bad channels to the bad window;

determining a desired frequency type based on a frequency sequence;

using an original hopping sequence to sample an original frequency in the frequency band; and

selecting ~~the~~ an original frequency as an operating frequency when the original frequency is ~~[[a]]~~ the desired frequency type.

18(Original). The method of claim 17 wherein the frequency sequence is defined as a number of channels of a first type, followed by a number of channels of a second type, such that the ratio of the number of channels of the first type to the number of channels of the second type is Q.

19(Currently Amended). The method of claim 17 further comprising transmitting an idle signal when ~~[[a]]~~ the bad channel is selected.

20(Currently Amended). In a frequency band, a method of intelligent frequency hopping, comprising:

in the frequency band, determining a ratio of ~~the~~ a number of ~~the~~ good channels to ~~the~~ a number of ~~the~~ bad channels (the Q ratio);

assigning a first size to a good window, and a second size to a bad window, such that ~~the~~ a ratio of the size of the good window to the size of the bad window is the same as the Q ratio;

defining a frequency sequence as a number of channels of a first type, followed by a number of channels of a second type, such that a ratio of the number of channels of the first type to a number of channels of the second type is the Q ratio;

using an original hopping sequence to sample an original frequency in the frequency band;

selecting the original frequency as an operating frequency when the original frequency is a desired frequency type; and

using a frequency from either ~~[[a]]~~ the good window or ~~[[a]]~~ the bad window when the original frequency is not ~~[[a]]~~ the desired frequency type.